

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVE RABIN, CPA, and IAN GRAVES,
Plaintiffs,
v.
GOOGLE LLC,
Defendant.

Case No. 22-cv-04547 PCP (NC)

**ORDER DENYING GOOGLE’S
MOTION TO SEAL PORTIONS
OF APRIL 2, 2025, HEARING
TRANSCRIPT**

RE: ECF 176

Defendant Google moves to seal portions of the hearing transcript of an April 2, 2025, court hearing on a discovery dispute. ECF 176. Google asserts that a “good cause” standard should apply and that good cause is shown because the transcript “reflects highly confidential and proprietary information about Google’s systems and technical details such as internal criteria for categorizing accounts, data retention, and deletion for Google products including Google Apps.” ECF 176 at p. 2. Plaintiffs oppose the motion, disagreeing about the standard and whether Google meets it. ECF 178.

There is a general principle in favor of public access to federal court records. *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 (1978); *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006); N.D. Cal. Civil Local Rule 79-5. The presumption of access is “based on the need for federal courts, although independent—

indeed, particularly because they are independent—to have a measure of accountability and for the public to have confidence in the administration of justice.” *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096 (9th Cir. 2016).

A threshold question is what standard to apply to Google’s sealing request. The answer is provided by a sealing order in this case by the presiding judge, District Court Judge P. Casey Pitts. ECF 179. Judge Pitts ordered that a hearing transcript is a “judicial record” for which a party “bears the burden of meeting the ‘compelling reasons’ standard” to justify sealing. ECF 179 at p. 3, citing *Kamakana*, 447 F.3d at 1178.

Here, Google has not offered specific information or an evidentiary basis for sealing portions of the transcript of the April 2, 2025, hearing under the “compelling reasons” standard. And even if the Court were to apply the “good cause” standard, Google has not met that lower standard either. Google’s sealing motion is therefore denied.

IT IS SO ORDERED.

Dated: July 9, 2025


NATHANAEL M. COUSINS
United States Magistrate Judge